

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SHLETTA BOONE,

*Plaintiff,*

v.

TEXAS DEPARTMENT OF AGING  
AND DISABILITY SERVICES,

*Defendant.*

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Case No. 4:11cv 648  
(Judge Clark/Judge Mazzant)

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 17, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Texas Department of Aging and Disability Services' Second Amended Motion to Dismiss Under Rules 12(b)(1) and 12(b)(6) [Doc. #23] be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendant Texas Department of Aging and Disability Services' Second Amended Motion to Dismiss Under Rules 12(b)(1) and 12(b)(6) [Doc. #23] is **GRANTED** and Plaintiff's case is **DISMISSED**.

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** this **29** day of **June, 2012**.

A handwritten signature in black ink, appearing to read "Ron Clark". The signature is written in a cursive, flowing style.

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Ron Clark, United States District Judge